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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Acting Deputy Secretary

Certified Mail – Return Receipt Requested

October 28, 2016

Mayor Dale W. Janway
City of Carlsbad
P.O. Box 1569
Carlsbad, NM 88221

Re: City of Carlsbad; Major Treatment Works; Industrial Stormwater; MSGP; SIC 4952; NPDES Compliance Evaluation Inspection; NPDES Tracking NMR053054; September 28 and 29, 2016

Dear Mayor Janway:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Further explanations and problems noted during this inspection are discussed on the completed checklist report.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

NPDES Enforcement Coordinator
Environmental Protection Agency, Region 6
NPDES Enforcement Branch (6EN-WM)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Program Manager
New Mexico Environment Department
Surface Water Quality Bureau (N2050)
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

David Long is USEPA Region 6's Acting NPDES Enforcement Coordinator at the above address. If you have any questions about this inspection report, please contact Erin Trujillo at 505-827-0418 or at erin.trujillo@state.nm.us.

Mayor Janway, City of Carlsbad, NMR053054

October 28, 2016

Page 2 of 2

Sincerely,

/s/Sarah Holcomb

Sarah Holcomb
Acting Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
David Long, USEPA (6EN-WM) by e-mail
Robert Houston, USEPA (6EN)
Darlene Whittten-Hill, USEPA (6EN) by e-mail
Michael Kesler, NMED District III by e-mail
Steve McCutcheon, City Administrator, City of Carlsbad
Joe Harvey, Superintendent, WWTP, City of Carlsbad
Richard Aguilar, Environmental Services Superintendent, City of Carlsbad



Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code			NPDES										yr/mo/day					Inspec. Type		Inspector		Fac Type											
1	N	2	5	3	N	M	R	0	5	3	0	5	4	11	12	1	6	0	9	2	8	17	18	C	19	S	20	1					
Remarks																																	
M A J O R T R E A T M E N T W O R K S																																	
Inspection Work Days								Facility Evaluation Rating								BI		QA		-----Reserved-----													
67								70								71		72		73		74		75		80							

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Carlsbad Waste Water Treatment Plant, WWTP: From US 285 in Carlsbad, take US 62 (Green Street) approximately 2.5 miles, take right on County Road 605 (Refinery Rd), then take next right on Country Rd 606 (Blackfoot Rd). Eddy County.		Entry Time /Date ~ 1330 hours / 09/28/2016 ~ 0830 hours / 09/29/2016		Permit Effective Date 2015 MSGP 06/04/2015	
		Exit Time/Date ~ 1700 hours / 09/28/2016 ~ 1030 hours / 09/29/2016		Permit Expiration Date 2015 MSGP 06/04/2020	
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Mr. Joe Harvey, Superintendent, WWTP, City of Carlsbad, 575-887-5412 Mr. Richard Aguilar, Environmental Services Superintendent, City of Carlsbad Mr. Matt Warner, Supervisor Operator, City of Carlsbad				Other Facility Data <u>Visitor Entrance</u> Latitude: 32.410953° Longitude: -104.177410° SIC 4952, Sector TW	
Name, Address of Responsible Official/Title/Phone and Fax Number Mayor Dale W. Janway, City of Carlsbad, P.O. Box 1569, Carlsbad, NM 88221 / 575-887-1191, 1-800-658-2713					
				Contacted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Section C: Areas Evaluated During Inspection (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

M	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
U	Records/Reports	U	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
S	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	U	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

- 1) Inspector, Erin S. Trujillo, accompanied by Jennifer Foote, both of NMED, conducted an industrial stormwater Multi-Sector General Permit (MSGP) Compliance Evaluation Inspection (CEI) on 9/28 and 9/29/2016. This CEI was conducted concurrently with the facilities Individual Permit CEI (NPDES Permit No. NM0026395) -- separate EPA Form 3560 Form and report.
- 2) Upon arrival, Inspector made introductions, presented credentials and explained the purpose of the inspection to Mr. Harvey. The inspectors toured the plant with Mr. Harvey on 9/28 and Mr. Warner on 9/29. Mr. Richard Aguilar provided copies of records kept under the MSGP. Ms. Trujillo conducted an exit interview to discuss preliminary findings from approximately 0945 to 1015 hours with Mr. Aguilar and Mr. Warner on 9/29/2016.
- 3) See attached checklist report with further explanations.

Name(s) and Signature(s) of Inspector(s) Erin S. Trujillo /s/Erin S. Trujillo	Agency/Office/Telephone/Fax NMED/SWQB/505-827-0418	Date 10/28/2016
Signature of Management QA Reviewer Sarah Holcomb /s/Sarah Holcomb	Agency/Office/Phone and Fax Numbers NMED/SWQB/505-827-2798	Date 10/28/2016

NPDES Industrial Storm Water Checklist (MSGP)

<u>National Database Information</u>			<u>General</u>	
Inspection Type	CEI		Inspector Name	Erin S. Trujillo
NPDES ID Number	NMR053054		Telephone	505-827-0418
Inspection Date	09/28/2016 and 09/29/2016		Entry Time	~ 1300 hours / 09/28/2016 ~ 0830 hours / 09/29/2016
Inspector Type (circle one)	EPA	State	EPA Oversight	Exit Time ~ 1730 hours / 09/28/2016 ~ 1030 hours / 09/29/2016
Facility Sector/ SIC/Activity Code	SIC 4952 / Sector TW		Signature	/s/Erin S. Trujillo

<u>Facility Location Information</u>				
Name/Location/ Mailing Address	City of Carlsbad WWTP / 45 Blackfoot Road, Carlsbad, NM / P.O. Box 1569, Carlsbad, NM 88221			
GPS Coordinates	Latitude	32.410953°	Longitude	-104.177410°
Receiving Water(s)	Pecos River from Six Mile Dam Lake to Lower Tansil Lake, Assessment Unit NM-2202.A_01 in Segment 20.6.4.202 NMAC in Upper Pecos-Black Watershed			

<u>Contact Information</u>		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	City of Carlsbad	575-887-1191 1-800-658-2713
Facility Contact	Richard Aguilar, Environmental Services Superintendent, City of Carlsbad	575-887-1191 575-887-5412
Authorized Official(s)	Mayor Dale W. Janway or Steve McCutcheon, City Administrator	575-887-1191 1-800-658-2713

<u>Basic Permit Information</u>			<u>Basic SWPPP Information</u>		
Permit Coverage	<input checked="" type="checkbox"/> Y	N	SWPPP Prepared & Available	<input checked="" type="checkbox"/> Y	N
Permit Type	General	Individual	SWPPP Contents Satisfactory	Y	N
Operational Date	2015 MSGP		SWPPP Implementation Satisfactory	Y	N
NOI/Application Date	08/26/2015		SWPPP Date	11/2011	
If applicable, is no exposure certification on file?		NA	<i>Intentionally left blank</i>		

Additional Notes: A previous MSGP CEI (NPDES Tracking No. NMU001728) was conducted on 04/27/2011. The report is available at <https://www.env.nm.gov/swqb/NPDES/Inspections/NMU001728-20110427.pdf>. Operator obtained permit coverage under the USEPA Industrial Stormwater 2008 Multi-Sector General Permit (MSGP) (expired NPDES Tracking No. NMR05B292). Coverage under 2015 MSGP issued 09/25/2015.

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Review			
General		Notes:	
Was the SWPPP completed prior to NOI submission?	Y	<input checked="" type="checkbox"/> N	SWPPP provided was dated November 2011 and was not completed (signed/certified) after preparation, was not signed prior to City submitting Notice of Intent (NOI) for 2015 MSGP and not signed on the day of this CEI.
Copy of the NOI and acknowledgment letter from EPA?	Y	<input checked="" type="checkbox"/> N	
Copy of the permit language?	Y	<input checked="" type="checkbox"/> N	Not updated
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP contain a signed/certified statement indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii)? Applicable to: <ul style="list-style-type: none"> • Routine facility inspection (3.1.1) • Quarterly visual assessment (3.2.3) • Benchmark monitoring (6.2.1.3). 	Y	N	Not applicable (NA)
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	Y	<input checked="" type="checkbox"/> N	2011 SWPPP refers to Spill Prevention, Control, and Countermeasure (SPCC) plan; however, it was not confirmed by on-site permittee representatives if document was available or applicable. Applicability needs to be confirmed and SWPPP updated.
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	Y	<input checked="" type="checkbox"/> N	Not updated
Does the SWPPP include documentation to support eligibility under NEPA (New Source)?	Y	N	NA
Did all "operators" sign/certify the SWPPP?	Y	<input checked="" type="checkbox"/> N	
Is the storm water pollution prevention team identified (name or title)?	Y	<input checked="" type="checkbox"/> N	Names not updated
Are the storm water pollution prevention team's responsibilities identified?	<input checked="" type="checkbox"/> Y	N	

NPDES Industrial Storm Water Checklist (MSGP)

<u>Site Description</u>			Notes:
SWPPP provides a description of the facility's industrial activities?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is there a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility and all receiving waters for storm water discharges?	<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N	
Is there a site specific site map?	Y	<input checked="" type="checkbox"/> N	Site maps were dated 2/5/2004 / Not updated
Does the site map contain the size of the property in acres?	Y	<input checked="" type="checkbox"/> N	
Does the site map contain the location and extent of significant structures and impervious surfaces?	Y	<input checked="" type="checkbox"/> N	Not updated
Does the site map contain directions of storm water flow (indicated by arrows)?	Y	<input checked="" type="checkbox"/> N	
Does the site map contain locations of all existing structural control measures?	Y	<input checked="" type="checkbox"/> N	Not updated. Did not include curbs and berms.
Does the site map contain locations of all receiving waters in the immediate vicinity of the facility, indicating if any of the waters are impaired, and if so, whether the waters have TMDLs established for them?	Y	<input checked="" type="checkbox"/> N	Site map shows Pecos River. Impairments were not indicated on site maps provided (see attachments to this report). TMDLs not developed at this time.
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	Y	<input checked="" type="checkbox"/> N	
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.2.2?	Y	<input checked="" type="checkbox"/> N	Major treatment works are labeled, but not all pollutants (e.g., grit and screenings, fuel storage, etc.)
Does the site map contain locations where significant spills or leaks identified under Part 5.2.3.3 have occurred?	Y	<input checked="" type="checkbox"/> N	N = Not documented. SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does the site map contain locations of all storm water monitoring points?	Y	<input checked="" type="checkbox"/> N	Potential points may include 2 nd entrance, northwest corner of site, pond overflow.
Does the site map contain locations of storm water inlets and outfalls, with a unique identification (e.g., 001, 002) for each outfall and if substantially identical?	Y	<input checked="" type="checkbox"/> N	
Does the site map contain municipal separate storm sewers and where the facility discharges to them?	Y	N	NA
Does the site map contain locations and descriptions of all non-storm water discharges?	Y	<input checked="" type="checkbox"/> N	N = Not documented. SWPPP was not updated prior to City submitting NOI under 2015 MSGP.

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
<p>Does the site map contain locations of the following activities where these activities are exposed to precipitation?</p> <ul style="list-style-type: none"> Fueling stations Vehicle and equipment maintenance and/or cleaning areas Loading/unloading areas Locations used for the treatment, storage or disposal of wastes Liquid storage tanks Processing and storage areas Immediate access roads and rail lines used or travelled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility Transfer areas for substances in bulk Machinery 	Y	<input checked="" type="checkbox"/> N	
Does the site map contain locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants?	Y	N	NA
Does the SWPPP document areas at the facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released?	Y	<input checked="" type="checkbox"/> N	N = Not documented. SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does the SWPPP include a list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams)?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?	<input checked="" type="checkbox"/> Y	N	
Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP. Overflow was described at entrance works by on-site representatives.

NPDES Industrial Storm Water Checklist (MSGP)

<u>Site Description</u>		Notes:	
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP? Does it include: <ul style="list-style-type: none"> Date Description of evaluation criteria List of the outfalls or onsite drainage points directly observed Different types of non-storm water discharges and source locations Actions taken such as a list of control measures for elimination. 	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does salt storage occur at this facility?	Y	N	NA
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	Y	<input checked="" type="checkbox"/> N	N = Applicability not updated. SWPPP was not updated prior to City submitting NOI under 2015 MSGP.

<u>Controls to Reduce Pollutants</u>		Notes:	
Does the SWPPP include documentation of the location and type of control measures at the facility to comply with the requirements in Part 2?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP include documentation that selection and design of control measures were based on a consideration of the practices and procedures in Part 2.1.1?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP include measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings?	Y	<input checked="" type="checkbox"/> N	N = Applicability not discussed
Does the SWPPP include good housekeeping measures (e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)?	Y	<input checked="" type="checkbox"/> N	

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants			Notes:
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP include preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP include a schedule for preventative maintenance procedures?	Y	<input checked="" type="checkbox"/> N	
Does the SWPPP include procedures for minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur?	Y	<input checked="" type="checkbox"/> N	See previous note on SPCC
Does the facility implement procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur?	Y	<input checked="" type="checkbox"/> N	Labels were observed, but not procedures not documented in SWPPP.
Does the facility implement preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling?	Y	<input checked="" type="checkbox"/> N	Curbing was observed, but measure not documented in SWPPP.
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	Y	<input checked="" type="checkbox"/> N	N = Not documented in SWPPP
Does the facility train employees who may cause, detect, or respond to a spill or leak in these procedures and have necessary spill response equipment available?	Y	<input checked="" type="checkbox"/> N	N = Not documented in SWPPP. See previous note on SPCC.
Does the facility document and follow procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies?	Y	<input checked="" type="checkbox"/> N	N = Not documented in SWPPP

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants			Notes:
Does the SWPPP document erosion and sediment controls?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does the facility stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does the facility place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants?	Y	<input checked="" type="checkbox"/> N	Applicability not discussed / SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
If the facility stores salt at this facility, are the piles enclosed or covered? Does the facility implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile?	Y	N	NA
Employee Training – is there a schedule for regular (at least annually) employee training?	<input checked="" type="checkbox"/> Y	N	See additional notes below
Does training cover both the specific control measures used to achieve the effluent limits in Part 2 and monitoring, inspection, planning, reporting, and documentation requirements in other parts of the permit?	Y	<input checked="" type="checkbox"/> N	
Does the facility ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	Y	<input checked="" type="checkbox"/> N	SWPPP was not updated prior to City submitting NOI under 2015 MSGP.

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Review

Signature Requirements

Based on a query of EPA on-line databases, the NOI did not appear to be signed by a principal executive officer or ranking elected official (see Appendix B.11.A.3 of the 2015 MSGP). Additional signature requirements, including certifications, are in Appendix B.11.B thru G of the 2015 MSGP.

Employee Training

Based on 2011 SWPPP and documentation provided, employee was not documented (see Parts 2.1.2.8 Employee Training and Part 5.2.5.1 Schedules and Procedures of the 2015 MSGP). 2011 SWPPP states *"all new employees will be trained within two weeks of their start date. Additionally all employees will be required to participate in an annual refresher training course."* SWPPP environmental service team member described training; however, no other training for other employees was documented or contained in SWPPP. No other SWPPP training documents provided.

Control Measures

Based on observed measures during this CEI, including information from on-site representatives, the facility had preventative and structural control measures that were not documented / not updated in SWPPP. Part 5.2.4 (Description of Control Measures) states *"You must document the location and type of control measures you have specifically chosen and/or designed..."*

NPDES Industrial Storm Water Checklist (MSGP)

Inspections (Part 4)			
<u>General</u>	Notes:		
Routine Facility Inspections			Recorded rainfall in 2016 includes: 01/05 = 0.5 in 04/01 = 0.25 in; 04/02 = 0.25 in; and 04/12 = 0.1 in 05/16, 05/18 and 05/19 = 0.1 in (each) 06/12 = 0.1 in and 6/29 = 1.8 in 08/10 = 0.5; 08/12 = 0.25 in; 08/22 = 2.5 in 08/24 = 1.75 in; 8/31 = 1.75 in
Are routine facility inspections conducted at least quarterly while facility operating?	Y	<input checked="" type="checkbox"/> N	Quarterly inspection reports for 4/1/2016 (Dry 2 nd Qtr) and 6/30/2016 (Wet 2 nd Qtr) provided
Are inspections documented, including: <ul style="list-style-type: none"> Date and time Name and signature of inspector Weather information and a description of discharge occurring at the time of the inspection Previously unidentified discharges from site Control measures needing maintenance or repairs Failed control measures that need replacement Incidents of noncompliance observed Additional control measures needed. 	Y	<input checked="" type="checkbox"/> N	N = Time 6/30/2016 inspection report states <i>"runoff is running into carwash waste beds need to regrade area to divert stormwater to retention ponds."</i> Report also states <i>"overflow from retention ponds."</i> Documentation of maintenance and clarification needed.
Exceptions, including (see 3.1.1): <ul style="list-style-type: none"> Inactive and unstaffed sites 	Y	N	NA
Quarterly Visual Assessment			
Are quarterly visual assessments conducted?	Y	<input checked="" type="checkbox"/> N	Not documented if flow was off-site (including 2 nd entrance)
Does the assessment consist of a sample collected: <ul style="list-style-type: none"> Within the first 30 minutes of discharge On discharges that occur at least 72 hours (3 days) from the previous discharge Collected in a clean, clear glass or plastic container. 	Y	N	See note above

NPDES Industrial Storm Water Checklist (MSGP)

Inspections			
Are assessments documented, including: <ul style="list-style-type: none"> Sample location Sample collection date/time & visual assessment date/time Personnel collecting sample & performing assessment and their signature Nature of the discharge (runoff or snowmelt) Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators) Probable sources of contamination If applicable, reason for not taking samples within 1st 30 minutes. 	Y	N	See note above
Exceptions, including (see 3.2.3): <ul style="list-style-type: none"> Adverse weather conditions Climates with irregular storm water runoff Areas subject to snow Substantially identical outfalls (per 5.2.5.3) Inactive and unstaffed sites. 	Y	N	See note above / Exceptions not documented in SWPPP.

Monitoring (Part 6)			
<u>General</u>	Notes:		
Does the SWPPP contain a procedure for conducting sector (and co-located) specific benchmark monitoring?	Y	N	NA
Does the SWPPP contain procedures for conducting effluent limitations guidelines monitoring?	Y	N	NA
Does the SWPPP contain a procedure for other monitoring (state or tribal specific; impaired waters; other as required)	Y	<input checked="" type="checkbox"/> N	N = Not documented / EPA requirements not documented in SWPPP
Are samples analyzed in accordance with 40 CFR Part 136 methods?	Y	N	See above
Benchmark Monitoring			
Does the monitoring consist of a sample collected: <ul style="list-style-type: none"> Within the first 30 minutes of discharge On discharges that occur at least 72 hours (3 days) from the previous discharge 	Y	N	NA

NPDES Industrial Storm Water Checklist (MSGP)

<ul style="list-style-type: none"> Document the date and duration (in hours) of the rainfall event, rainfall total (snow - date only) for that rainfall Prior to commingling. 			
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	Y	N	See above
Is the average of the first four quarterly samples < the parameter benchmark?	Y	N	See above
Is the average of the first four quarterly samples > the parameter benchmark? <ul style="list-style-type: none"> Make the necessary modifications Continue quarterly monitoring Determine and document that no further pollutant reductions are technologically available and economically practicable and achievable, continue monitoring once per year, notify EPA Natural background pollutant level documentation 	Y	N	See above
Exceptions, including (see 6.1.5, 6.1.6 & 6.2.1.3): <ul style="list-style-type: none"> Adverse weather conditions Climates with irregular storm water runoff Snowmelt Substantially identical outfalls (per 5.1.5.2) Inactive and unstaffed sites. 	Y	N	See above
Effluent Limitations Monitoring (Sector A, C, D, E, J, K, L, O, S)			NA
Sampled once per year?	Y	N	NA
Follow-up requirements if discharge exceeds effluent limit (see 6.2.2.3)?	Y	N	NA
Water Quality Based Effluent Limitations			
Does the facility discharge to water quality impaired waters?	Y	N	PCB in fish tissue
If TMDL exists, does the facility need to monitor?	Y	N	NA / No TMDL
Is the facility monitoring all 303(d) pollutants in the first surface water to which they discharge?	Y	N	Operator's NOI did not include impairment for Pecos River (PCB in Fish Tissue). Applicability not discussed in SWPPP / Documentation of EPA monitoring requirements not updated / not included in SWPPP.
Does the facility discharge to a CERCLA site?	Y	<input checked="" type="checkbox"/>	NA
Additional monitoring required by EPA?	Y	<input checked="" type="checkbox"/>	NA

NPDES Industrial Storm Water Checklist (MSGP)

Reporting (Part 7) Information must be submitted using NeT for NOI, NEC, NOT and Annual Report.			<u>DMRs must be submitted using NetDMR</u>
<u>General</u>			Notes:
Is facility a new discharger or new source to water quality impaired waters? Has the facility submitted this information to EPA Region 6?	Y	N	NA
If there was a facility exceedance under numeric effluent limitations, was a report submitted to EPA within 30 days?	Y	N	NA
Did the facility submit benchmark or ELG monitoring through NetDMR?	Y	N	NA
Did the facility submit Annual Reports to EPA through NeT? (Due January 30 of each year)	Y	N	<p>Additional Notes: Under previous 2008 MSGP (expired NPDES Tracking No. NMR05B292), no annual reports were submitted according to permittee representative.</p> <p>FIRST electronic annual report under 2015 is due by January 30, 2017, covering the period up to December 31, 2016. This will allow at least a full year of permit compliance activities to take place in order to have something relevant to report.</p>
If follow up monitoring per 6.2.2.3 exceeds a numeric limit, did the facility submit an Exceedance Report (paper) to EPA Region 6 in addition to reporting the monitoring data through NetDMR?	Y	N	NA

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff	<p><i>(e.g., use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away; locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems; clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants; use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible; use spill/overflow protection equipment; drain fluids from equipment and vehicles prior to on-site storage or disposal; perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and ensure that all washwater drains to a proper collection system)</i></p> <p>Facility topography was generally to the north away from Pecos River. Curbing provide some control measure. Flows to drains on site are to lined ponds with piping to treatment works or are piped directly to treatment works.</p>
Good Housekeeping	<p><i>(e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)</i></p> <p>Generally, facility operators appeared to have good housekeeping practices. Some solids were noted at the 2nd gate and along the curb at the compost area. Materials remaining after construction, will need to be stored or disposed properly.</p>
Preventative maintenance	<p><i>(e.g., regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line)</i></p> <p>Preventative inspections not documented. Inspection requirements and maintenance for lined stormwater ponds not described in SWPPP.</p>

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Spill Prevention and Response	<p><i>(e.g., minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur)</i></p> <p>No spill kits or spill kit signage was observed near fuel storage area.</p>
Erosion and Sediment Controls	<p><i>(e.g., stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, flow velocity dissipation devices at discharge locations and within outfall channels)</i></p> <p>Straw wattle appeared missing and/or damaged at north west corner of facility. Movement of wattle may have been due to construction activities in area. Permanent control measure (e.g., stabilization, raised berm) may be needed in this area once construction ends.</p>
Management of Runoff	<p><i>(e.g., divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in discharges)</i></p> <p>Lined stormwater ponds constructed. Berm outside 2nd gate constructed.</p>
Salt Storage Piles	<p><i>(e.g., enclose or cover piles appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile)</i></p> <p>NA</p>

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Waste, Garbage and Floatable Debris	<p><i>(e.g., keep exposed areas free of such materials or by intercepting them before they are discharged)</i></p> <p>No substantial waste, garbage and floatable debris observed.</p>
Evidence of non-storm water discharges	<p>No</p>
Dust Generation and Vehicle Tracking of Industrial Materials	<p><i>(minimize generation of dust and off-site tracking of raw, final, or waste materials)</i></p> <p>No dust and no off-site tracking observed on day of this CEI.</p>

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Implementation and Sector Specific Requirements

List and describe structural controls *(The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications)*

8.T.4.1 Control Measures. *(See also Part 2.1.2) To minimize the discharge of pollutants in stormwater, implement control measures such as the following, where determined to be feasible (list not exclusive): routing stormwater to the treatment works; or covering exposed materials (i.e., from the following areas: grit, screenings and other solids handling, storage or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station).*

Most stormwater was routed to treatment works; however, SWPPP was not updated/did not document feasibility at 2nd gate

8.T.4.2 Employee Training. *(See also Part 2.1.2.8) At a minimum, training must address the following areas when applicable to a facility: petroleum product management; process chemical management; spill prevention and controls; fueling procedures; general good housekeeping practices; and proper procedures for using fertilizer, herbicides, and pesticides.*

As previously discussed, Employee Training was not documented.

8.T.5.1 Site Map. *(See also Part 5.2.2) Document in your SWPPP where any of the following may be exposed to precipitation or surface runoff: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and storage areas for process chemicals, petroleum products, solvents, fertilizers, herbicides, and pesticides.*

Grit and screenings area, beneath entrance works, was not shown on site maps provided.

8.T.5.2 Potential Pollutant Sources. *(See also Part 5.2.3) Document in your SWPPP the following additional sources and activities that have potential pollutants associated with them, as applicable: grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; septage or hauled waste receiving station; and access roads and rail lines.*

Described in SWPPP.

8.T.5.3 Wastewater and Wash Water Requirements. *If wastewater and/or vehicle and equipment wash water is not covered by another NPDES permit but is handled in another manner (e.g., hauled offsite, retained onsite), the disposal method must be described and all pertinent information (e.g., frequency, volume, destination) must be included in your SWPPP. Discharges of vehicle and equipment wash water, including tank cleaning operations, are not authorized by this permit for this sector.*

SWPPP not updated with description and information.

8.T.6 Additional Inspection Requirements. *(See also Part 3.1) Include the following areas in all inspections: access roads and rail lines; grit, screenings, and other solids handling, storage, or disposal areas; sludge drying beds; dried sludge piles; compost piles; and septage or hauled waste receiving station.*

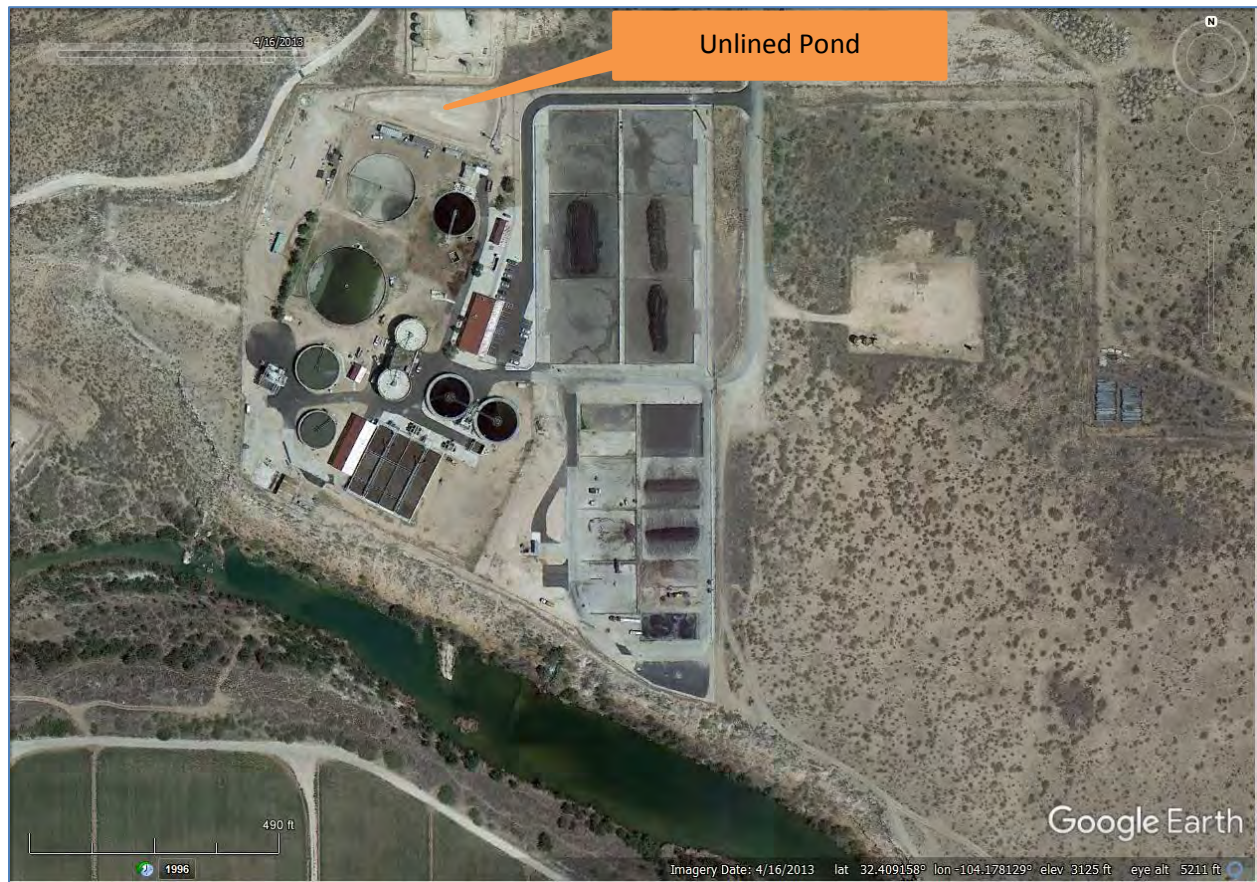
Above inspection areas not documented.

Attachments

Site Map (Source: Google Earth Imagery Date 7/24/2011)



Site Map (Source: Google Earth Imagery Date 4/16/2013)



Site Map (Source: Google Earth Imagery Date 3/12/2016)



Impaired Waters (Source: NMED at <https://www.env.nm.gov/swqb/303d-305b/>)

Pecos River is listed impaired causes PCB in fish tissue and integrated report category 5/5C

Note: EPA considers fish or shellfish consumption advisories and supporting fish tissue data to be existing and readily available data that demonstrate nonattainment of CWA goals stating that waters should be "fishable" (CWA Section 101(a), EPA 2005). New Mexico currently has fish consumption advisories based on mercury, DDT, and PCB levels in fish tissue (NMDOH et al. 2015). All waterbodies listed in the advisory are listed as impaired except waterbodies where available mercury in fish tissue data are below the New Mexico water quality criterion of 0.3 mg/kg. Source: EPA-Approved 2016-2018 CWA §§ 303(d)/ 305(b) Integrated Report

2014 - 2016 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated List.

Pecos River (Black River to Lower Tansil Lake)			IR CATEGORY	LOCATION DESCRIPTION	
			5/5C	13060011 - Upper Pecos-Black	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2202.A_00	20.6.4.202	RIVER	19.4 MILES	2006	2021
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PROBABLE SOURCE(S)
LW	Fully Supporting				• Source Unknown
WH	Fully Supporting				
PC	Fully Supporting				
IW Supply	Not Assessed				
IRR	Fully Supporting				
WWAL	Not Supporting				
		PCB in Fish Tissue	2010		
AU Comment: The PCBs in fish tissue listing is based on NMs current fish consumption advisories for this water body. Per USEPA guidance, these advisories demonstrate non-attainment of CWA goals stating that all waters should be "fishable." Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.					

2016 - 2018 State of New Mexico Clean Water Act §303(d)/§305(b) Integrated List.

Pecos River (Six Mile Dam Lake to Lower Tansil Lake)			IR CATEGORY	LOCATION DESCRIPTION	
			5/5C	13060011 - Upper Pecos-Black	
AU ID	WQS REF	WATER TYPE	SIZE	ASSESSED	MONITORING SCHEDULE
NM-2202_A_01	20.6.4.202	RIVER	3.27 MILES	2016	2019
USE	ATTAINMENT	CAUSE(S)	FIRST LISTED	TMDL DATE	PROBABLE SOURCE(S)
IW Supply	Not Assessed				<ul style="list-style-type: none">Source Unknown
IRR	Fully Supporting				
LW	Fully Supporting				
PC	Fully Supporting				
WWAL	Not Supporting	PCB in Fish Tissue	2010		
WH	Fully Supporting				
AU Comment: The PCBs in fish tissue listing is based on NMs current fish consumption advisories for this water body. Per USEPA guidance, these advisories demonstrate non-attainment of CWA goals stating that all waters should be "fishable." Therefore, the impaired designated use is the associated aquatic life even though human consumption of the fish is the actual concern.					

**NMED/SWQB
Official Photograph Log
Photo # 1**

Photographer: Erin S. Trujillo

Date: 09/28/2016

Time: 1623 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Example of area with potential pollutant source (s). Solids and grit handling area below the headworks is partially covered, but still exposed to precipitation. Flow to drains inlets in area return flow to the headworks.



**NMED/SWQB
Official Photograph Log
Photo # 2**

Photographer: Erin S. Trujillo

Date: 09/28/2016

Time: 1533 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Example of area with potential pollutant sources – fuel storage tank and chemical storage cabinet. Storage is labeled.



**NMED/SWQB
Official Photograph Log
Photo # 3**

Photographer: Erin S. Trujillo

Date: 09/28/2016

Time: 1623 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Looking east from northwest corner of facility, straw wattle appeared to be damaged or missing at lined stormwater pond.



**NMED/SWQB
Official Photograph Log
Photo # 3**

Photographer: Erin S. Trujillo

Date: 09/28/2016

Time: 1642 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Example of area with potential pollutant source (s). East of compost area, solids have accumulated along curb. See next photo.



**NMED/SWQB
Official Photograph Log
Photo # 4**

Photographer: Erin S. Trujillo

Date: 09/28/2016

Time: 1642 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Accumulated solids at entrance. Arrow points to small sediment pile. Stormwater may flow off-site at this location.



**NMED/SWQB
Official Photograph Log
Photo # 5**

Photographer: Erin S. Trujillo

Date: 09/29/2016

Time: 1023 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Arrow points to approximate location of constructed berm outside of fence. Control measure was not described in SWPPP, including site map.



**NMED/SWQB
Official Photograph Log
Photo # 6**

Photographer: Erin S. Trujillo

Date: 09/29/2016

Time: 1023 hours

City/County: East of Carlsbad / Eddy County

State: New Mexico

Location: City of Carlsbad POTW

Subject: Arrow points to approximate location of constructed berm outside of fence. Control measure was not described in SWPPP, including site map.

